

Application Serial No. 10/533,704
Reply to Office Action of November 13, 2007

PATENT
Docket: CU-4189

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REMARKS

In the Office Action, dated November 13, 2007, the Examiner states that Claims 24-56 are pending and Claims 24-56 are rejected. By the present Amendment, Applicant amends Claim 46, and cancels Claims 24-45 and Claim 56. By the amendment, the Applicant also adds new Claim 57.

In the Office Action, the Examiner indicates that the Swift article has not been considered because it has not yet been disclosed in an Information Disclosure Statement (IDS). The Applicant submits herewith an IDS to disclose the article.

In the Office Action, the subject matter of Claims 25-31 and 36-42 is objected to as not being found in the priority documents. The Applicant has cancelled Claims 24-45, and therefore, this objection has been overcome.

The disclosure is objected to because it is unclear if the thickness in concentration in terms of amount (ppm) times the thickness (mm) is limited to 2 mm, or if it can have any thickness. The Applicant has amended the specification to specify that the thickness can be any value. Therefore, the Applicant respectfully requests this objection be withdrawn.

Claims 25 and 26 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The claims have been cancelled, and therefore, this rejection is overcome.

Claims 46-55 are rejected under 35 U.S.C. § 112, first paragraph, because the disclosure is not enabling. Specifically, the rejection is based on the exclusion of formula 3 from Claim 46. The Applicant respectfully disagrees with and transgresses this rejection. As described on page 9, lines 15-19 of the specification, formula 3 can be used for calculating the output power and simply defines that the output power in lumens is a function of the power summed over all the wavelengths taking into account the spectral sensitivity of the eye. Formula 3 provides only one example of many different ways the may be used to calculate the output lumens. For example, the spectral sensitivity of the eye may not be taken into account when calculating a light output. The Applicant notes that Claim 46 generically refers to a light output L_{OUT} and the concept of the invention is not limited to one particular way of calculating the light output. Therefore, the Applicant respectfully disagrees with the rejection, and does not believe Claim 46 should be limited by introducing formula 3,

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and therefore, requests the present rejection be withdrawn.

Claims 25-31 and 36-42 are rejected under 35 U.S.C. § 112, first paragraph, because the disclosure is not enabling. The claims have been cancelled, and therefore, this rejection is overcome.

Claims 25-31, 36-42 and 46-55 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and out distinctly claim the subject matter which the applicant regards as the invention. Claims 25-31 and 36-42 have been cancelled, and therefore, the rejection to the claims is overcome. With respect to Claims 46-55, the claims are specifically rejected as being incomplete for omitting essential steps. The Applicant has amended Claim 46 to add the step "fabricating the collector sheet", as suggested by the Examiner, and therefore, this rejection should be deemed overcome.

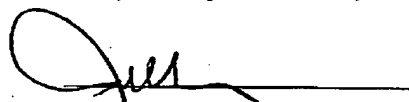
Claims 24-26, 32-37 and 56 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 4,492,778. Claims 24, 27, 32-35, 38 and 56 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 6,272,265. Claims 24, 25, 32-36, 43-45 and 56 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 97/08756. Claims 24-29, 32-40, 43-45 and 56 are rejected under 35 U.S.C. § 103(a) as being unpatentable to U.S. 5,548,490, U.S. 5,709,456 or U.S. 6,059, 438. Claims 24-25 and 56 are rejected under 35 U.S.C. § 103(a) as being unpatentable to WO 97/08756. Each of the above-identified rejections has been overcome because the rejected claims have been cancelled.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

May 13, 2008

Date


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